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BEFORE THE ARIZONA CORPORATION COMMISSION

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AZ CORP COMMISSION
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Arizona Corporation Commission

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MARC SPITZER
Chairman
JIM IRVIN
Commissioner
WILLIAM A. MUNDELL
Commissioner
JEFF HATCH-MILLER
Commissioner
MIKE GLEASON
Commissioner

UTILITIES DIVISION STAFF,

Complainant

vs.

LIVEWIRE NET OF ARIZONA, LLC; THE
PHONE COMPANY MANAGEMENT GROUP,
LLC; THE PHONE COMPANY OF ARIZONA
JOINT VENTURE dba THE PHONE COMPANY
OF ARIZONA; ON SYSTEMS TECHNOLOGY,
LLC, and its principles, TIM WETHERALD,
FRANK TRICAMO AND DAVID STAFFORD;
THE PHONE COMPANY OF ARIZONA, LLP
and its members,

Respondent

Docket No. T-03889A-02-0796
T-04125A-02-0796

**QWEST'S REPLY IN SUPPORT OF
STAFF'S REQUEST FOR
CONSOLIDATION OF MATTERS
INVOLVING THE PHONE
COMPANY MANAGEMENT
GROUP**

Qwest Corporation ("Qwest") files this reply in support of Commission Staff's May 9, 2003 request to consolidate all pending dockets involving LiveWired of Arizona, LLC and its related entities (collectively "LiveWired"). Staff's request was filed in response to an April 29, 2003 letter from Tim Wetherald to Administrative Law Judge Philip J. Dion III. In addition, on

1 May 12, 2003, DMJ Communications ("DMJ") filed a response to Qwest's Request for
2 Clarification in which it states that issues dealing with the transfer of LiveWirenet customers to
3 DMJ should be dealt with in Docket No. T-03889A-03-0152, regarding LiveWirenet's
4 application to abandon service. The transfer of LiveWirenet customers to DMJ and this
5 Complaint and Petition for Relief are substantially similar and should be consolidated.
6

7 Qwest believes there is no reason to treat the two Dockets differently since they involve
8 the same parties and substantially similar issues of law and fact. In fact, LiveWirenet has
9 acknowledged as much in its April 2, 2003 Motion to Terminate these proceedings based on its
10 application to abandon service in Arizona in Docket No.T-03889A-03-0152. Moreover,
11 consolidation is necessary to avoid duplication of witnesses, discovery, and testimony.
12 Consolidation would also avoid unnecessary costs associated with this duplication and help
13 preserve Commission resources with regard to both the Administrative Law Judge and Staff.
14

15 Therefore, Qwest joins Staff in its request to consolidate all pending dockets involving
16 LiveWirenet

17 DATED this 14nd day of May, 2003.

18 QWEST CORPORATION

19
20 By: 

21 Timothy Berg

22 Theresa Dwyer

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26 *Attorneys for Qwest Corporation*

1 Original +15 copies filed this 14th day of May, 2003 to:

2 Docket Control
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4

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12 Philip J. Dion, III
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